

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 628 OF 2006
IN
NOTICE OF MOTION NO. 1723 OF 2005
IN
SUIT NO. 66 OF 2004

Samarthmal Hajarimal Mehta] .. Appellant
(Ori.Plaintiff)

Versus

Shri Pirchand Misrimal Bhansali] .. Respondent
(Ori.Defendant)

Mrs. Usha Purohit for the appellant.

Mr. Birendra Saraf i/b M/s. Kartikeya & Associate for
the respondent.

CORAM: R.M. LODHA &
S.A. BOBDE, JJ.

DATED: 29TH AUGUST, 2006

P.C. :

. Heard.

2. No interference is called for in the impugned order directing Court Receiver to fix the royalty in respect of the premises which are in possession of the plaintiff as an agent of the Court Receiver. Needless to say, while fixing the royalty the Court Receiver shall take into consideration all relevant aspects,

including the nature of the premises having been made available to the plaintiff for occupation during the pendency of the Suit.

. Appeal is disposed of accordingly.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]